

1 JONATHAN W. BROWN, ESQ. (State Bar No. 223901)
2 LIPSITZ GREEN SCIME CAMBRIA LLP
3 42 Delaware Avenue, Suite 120
4 Buffalo, New York 14202-3924
5 (716) 849-1333
6 Facsimile No.: (716) 849-1315
7 jbrown@lglaw.com

8 MARK S. HOFFMAN, ESQ. (State Bar No. 108400)
9 MARK S. HOFFMAN, A PROFESSIONAL CORPORATION
10 11845 W. Olympic Blvd., Suite 1000
11 Los Angeles, CA 90064
12 Tel. (424) 248-6633
13 Fax: (424) 248-6677
14 mark@markhoffmanlaw.com

15 Attorneys for Plaintiff LFP IP, LLC

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17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

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Case No.: 2:16-cv-00166-FMO-RAO

LFP IP, LLC,)
vs.)
LEE KEITH BRETT; and)
DOES 1 through 10 inclusive,)
Defendants.)
)

DECLARATION OF MARK S. HOFFMAN

I, MARK S. HOFFMAN, hereby declare and state:

1. I am an attorney at law duly licensed and admitted to practice in the State of California. I am counsel for Plaintiff LFP IP, LLC. I have personal and first-hand knowledge of the facts set forth in this Declaration and could and would competently testify to the following, except as to those matters that are stated on information and belief, and as to those matters I believe them to be true.

2. This Declaration is made in support of Plaintiff's Ex Parte Application for Relief Re: Further Meet and Confer or Joint Filing Requirements.

3. On June 9, 2017, shortly before noon, Defendant Brett called and stated that he was in the process of retaining counsel, and provided a specific name of an attorney at a specific law firm.

4. During the same call, Defendant also stated that he would be bringing an ex parte application to continue the trial dates on Friday, June 9, or at the latest on Monday, June 12, if Plaintiff's counsel did not agree to the continuance.

1 Defendant stated that he would be filing the request/motion to continue the trial,
2 whether Plaintiff agreed to or not.
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5. Later that same day, Defendant then emailed a proposed revised
6 schedule relating to pretrial deadlines and a new trial date, which appeared to have
7 been prepared by an attorney. My co-counsel responded to the email the same day,
8 and we waited to receive a formal stipulation.
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11. On June 14, 2017, a few days before the Pretrial Exhibit Stipulation
12 and other pretrial documents were due, Defendant then informed us that he was no
13 longer seeking to engage counsel and seek a continuance of the trial.
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17 I declare under penalty of perjury, under the laws of the United States and
18 the State of California, that the foregoing is true and correct. Executed this 20th
19 day of June 2017, at Los Angeles, California.
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23 /s/ Mark S. Hoffman
24 Mark S. Hoffman, Declarant
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